

AMENDED IN SENATE APRIL 22, 2009

**SENATE BILL**

**No. 469**

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**Introduced by Senator Aanestad**

February 26, 2009

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An act to ~~amend Section 1400~~ *add Chapter 10.5 (commencing with Section 1480)* to Division 6 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 469, as amended, Aanestad. ~~Northern California Veterans Cemetery: fees. Veterans' cemeteries: fees.~~

Existing law ~~requires the Department of Veterans Affairs, in voluntary cooperation with the Shasta County Board of Supervisors and the boards of supervisors of other participating northern California counties, as specified, to design, develop, and construct a state-owned and state-operated Northern California Veterans Cemetery located in Northern California~~ *provides for the establishment and operation of certain state-owned and operated veterans' cemeteries*. Existing law authorizes honorably discharged veterans and their spouses and children to be interred at the cemetery, ~~and requires a fee of \$500~~ *these cemeteries, and provides for a fee to be charged for each spouse or child interred at the cemetery, as specified*.

This bill would authorize the fee for the interment of the spouses and children of honorably discharged veterans *in these cemeteries* to be waived if the cemetery administrator determines that the families of the spouses or children do not have sufficient means to pay for the costs of interment, and would require any costs for these interments to be paid from nonstate funds. This bill would require the cemetery administrator to seek reimbursements, as specified, and would authorize the cemetery

administrator to solicit private donations, to offset any fees lost as a result of this fee waiver.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Chapter 10.5 (commencing with Section 1480)*  
2     *is added to Division 6 of the Military and Veterans Code, to read:*

3  
4     *CHAPTER 10.5. STATE VETERANS CEMETERIES FEE WAIVER*  
5

6     1480. (a) *Notwithstanding any other provision of law, the fee*  
7     *for the interment of the spouses or children of eligible veterans in*  
8     *a cemetery operated under this division may be waived if the*  
9     *cemetery administrator determines that the families of the spouses*  
10    *or children do not have sufficient means to pay for the costs of*  
11    *interment.*

12    (b) *Any costs for the interment of the spouses or children of*  
13    *eligible veterans who received a waiver pursuant to subdivision*  
14    *(a) shall be paid from nonstate funds.*

15    (c) *The cemetery administrator shall seek reimbursements, if*  
16    *any are available, from federal, county, and other local agencies*  
17    *to offset any fees lost as a result of the waiver authorized pursuant*  
18    *to subdivision (a).*

19    (d) *The cemetery administrator may solicit private donations*  
20    *to offset any fees lost as a result of the waiver authorized pursuant*  
21    *to subdivision (a).*

22    ~~SECTION 1. Section 1400 of the Military and Veterans Code~~  
23    ~~is amended to read:~~

24    ~~1400. (a) (1) The Department of Veterans Affairs, in voluntary~~  
25    ~~cooperation with the Shasta County Board of Supervisors and the~~  
26    ~~boards of supervisors of other participating northern California~~  
27    ~~counties as specified in Section 1401, shall design, develop, and~~  
28    ~~construct a state-owned and state-operated Northern California~~  
29    ~~Veterans Cemetery that shall be located in northern California.~~

30    ~~(2) The department shall oversee and coordinate the design,~~  
31    ~~development, and construction of the cemetery.~~

32    ~~(b) (1) Those eligible for interment in the cemetery are all~~  
33    ~~honorably discharged veterans and their spouses and children. A~~

1 fee of five hundred dollars (\$500) shall be charged for each spouse  
2 or child interred in the cemetery.

3 (2) For purposes of this subdivision, the department shall adopt  
4 regulations to specify the eligibility requirements for interment in  
5 the cemetery.

6 (3) All fees received pursuant to paragraph (1) shall be deposited  
7 in the Northern California Veterans Cemetery Perpetual  
8 Maintenance Fund created pursuant to Section 1401.

9 (e) (1) Notwithstanding paragraph (1) of subdivision (b), the  
10 fee for the interment of the spouses or children of eligible veterans  
11 may be waived if the cemetery administrator determines that the  
12 families of the spouses or children do not have sufficient means  
13 to pay for the costs of interment.

14 (2) Any costs for the interment of the spouses or children of  
15 eligible veterans who received a waiver pursuant to paragraph (1)  
16 shall be paid from nonstate funds.

17 (3) The cemetery administrator shall seek reimbursements, if  
18 any are available, from federal, county, and other local agencies  
19 to offset any fees lost as a result of the waiver authorized pursuant  
20 to paragraph (1).

21 (4) The cemetery administrator may solicit private donations  
22 to offset any fees lost as a result of the waiver authorized pursuant  
23 to paragraph (1).

24 (5) Any moneys received pursuant to this subdivision to offset  
25 fees shall be deposited in the Northern California Veterans  
26 Cemetery Perpetual Maintenance Fund, in addition to the fees that  
27 are required to be deposited pursuant to paragraph (3) of  
28 subdivision (b).